

9-19-05  
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COOLEY GODWARD LLP

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09/20/2005 SSITHIB2 00000030 10631304

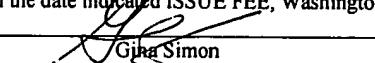
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/631,304	07/31/2003	Lynette Ross	MJA-27202/03	3744

## TITLE OF INVENTION: RESPIRATORY ANALYZER FOR EXERCISE USE

03 FC:8001

30.00 OP

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$700	\$300	\$1000	09/15/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
MALLARI, PATRICIA C	3736	600-532000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).	2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.	1 <u>Cooley Godward LLP</u> 2 _____ 3 _____
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## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

## (A) NAME OF ASSIGNEE

HealtheTech, Inc.

## (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Golden, Colorado

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

## 4a. The following fee(s) are enclosed:

## 4b. Payment of Fee(s):

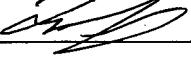
Issue Fee  
 Publication Fee (No small entity discount permitted)  
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## 5. Change in Entity Status (from status indicated above)

 a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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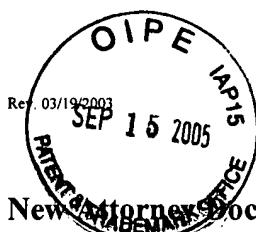
Date September 15, 2005

Typed or printed name Cliff Z. Liu

Registration No. 50,834

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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New Attorney Docket No. HTEC-014/01US  
Old Attorney Docket No. MJA-27202/03

PATENT

Express Mail Label Number: EV 525 579 332 US  
Date of Deposit: September 15, 2005

In re application of Ross, et al. Confirmation No.: 3744

Serial No.: 10/631,304 Examiner: Patricia C. Mallari

Filed: July 31, 2003 Art Unit: 3736

For: RESPIRATORY ANALYZER FOR EXERCISE USE

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#### ISSUE FEE TRANSMITTAL

Transmitted herewith is an Issue Fee Transmittal (Form PTOL 85b) for the above-identified application.

Also enclosed is:

Amendment After Allowance (5 pages, pages 1-5)

Fees:

<input checked="" type="checkbox"/>	Issue Fee of	\$ <u>700.00</u>
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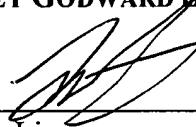
The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 03-3117.

Dated: September 15, 2005

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By:

Respectfully submitted,  
**COOLEY GODWARD LLP**

  
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Cliff Z. Liu  
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